



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant: | LOVETT et al. | Examiner: | Unassigned |
| Serial No.: | 10/643,006 | Group Art Unit: | 3736 |
| Filed: | August 18, 2003 | Docket No.: | GUID.060PA |
| Title: | SLEEP STATE CLASSIFICATION | | |

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the papers, as described hereinabove, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 8, 2004.

By: _____

Kelly J. Ledin

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted either within three months of the filing date or before the first Office Action of the above-identified application. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

Applicants bring to the Examiner's attention commonly owned, co-pending U.S.

Applications serial no. 10/269,611, filed October 11, 2002, serial no. 10/309,770, filed December 4, 2002, serial no. 10/309,771, filed December 4, 2002, serial no. 10/642,998, filed August 18, 2003, serial no. 10/643,154, filed August 18, 2003, and serial no. 10/643,203, filed August 18, 2003, which may be of interest.

In accordance with 37 C.F.R. §1.98(a)(2), and the 05 August 2003 Official Gazette Notice, only a copy of each foreign document or non-U.S. patent/application listed on the enclosed Form 1449 is provided.

Please note that any notations or markings on the attached documents do not reflect particular relevance, or lack thereof, to the present application, nor were they necessarily made by anyone affiliated with the prosecution of the present application.

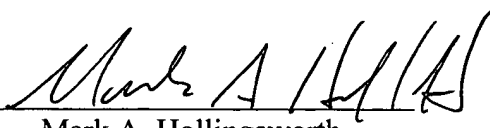
No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Respectfully submitted,

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Date: March 5, 2004

By: 
Mark A. Hollingsworth
Reg. No. 38,491

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| FORM 1449 INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary) | Docket Number: GUID.060PA | Application Number: 10/643,006 |
| | Applicant: LOVETT <i>et al.</i> | |
| | Filing Date: 08/18/2003 | Group Art Unit: 3736 |

| U.S. PATENT DOCUMENTS | | | | | | | |
|---|----------------|--|------------------|-------|----------|----------------------------|----|
| EXAMINER INITIAL | DOCUMENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | |
| | DOCUMENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
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| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | |
| | 1996 | Richard L. Verrier et al., <i>Sleep, dreams, and sudden death: the case for sleep as an autonomic stress test for the heart</i> , Cardiovascular Research 31, pp. 181-211 (1996) | | | | | |
| | 1995 | Olusola Ajilore, et al., <i>Nightcap: Laboratory and home-based evaluation of a portable sleep monitor</i> , Psychophysiology, 32, pp. 32-98 (1995) | | | | | |
| | 1997 | Rihcard L. Verrier et al., <i>Sleep Related Cardiovascular Risk: New Home-Based Monitoring Technology for Improved Diagnosis and Therapy</i> , A.N.E., Vol. 2, No. 2, pp. 158-175 (April 1997) | | | | | |
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| EXAMINER | DATE CONSIDERED |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant. | |